



4
RM not R

DOA:.....Koskinen, BB0079 - Internal Revenue Code update

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

in 1-28-05
Don't Gen
(the redraft instructions are behind the draft)

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

This bill adopts, for state income and franchise tax purposes, changes made to the Internal Revenue Code by Public Law 108-27, the Jobs and Growth Tax Relief Reconciliation Act, not including changes related to bonus depreciation and expensing provisions and an increase in the alternative minimum tax exemption; Public Law 108-121, the Military Family Tax Relief Act; Public Law 108-173, the Medicare Prescription Drug, Improvement and Modernization Act, not including changes related to health savings accounts; Public Law 108-203, the Social Security Protection Act; Public Law 108-218, the Pension Funding Equity Act; Public Law 108-311, the Working Families Tax Relief Act, not including changes related to deductions for charitable contributions of computer equipment and expensing provisions related to brownfields remediation costs; Public Law 108-357, the American Jobs Creation Act, not including changes related to the expensing of film and television production costs; and Public Law 108-476, the YMCA Retirement Fund.

Under current law, spouses that file a joint income tax return are both liable for the payment of any tax related to that return. However, DOR may relieve a person of any tax liability related to a joint return, in a manner specified by the Internal Revenue Code and adopted by this state. Generally, DOR may relieve a person of any

tax liability related to a joint return if the person's spouse did not notify the person of any tax liability or understatement of taxes related to the joint return. This bill corrects an outdated reference to the sections of the Internal Revenue Code that relate to a spouse's tax liability for a joint income tax return. The bill also requires a spouse to apply for relief from tax liability within two years from the date on which DOR begins collection activities on the spouse's tax liability or within two years from the effective date of the provision, whichever is later.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 71.01 (6) (j) of the statutes is repealed.

2 **SECTION 2.** 71.01 (6) (k) of the statutes is repealed.

3 **SECTION 3.** 71.01 (6) (L) of the statutes is amended to read:

4 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before
5 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
7 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,
11 P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
12 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
13 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding
14 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and
15 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
16 909, and 910 of P.L. 108-357, and as indirectly affected by P.L. 99-514, P.L. 100-203,

1 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,
2 P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
3 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
4 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
5 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202
6 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
7 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
9 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
10 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
11 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
12 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357.
13 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
14 federal purposes. Amendments to the federal Internal Revenue Code enacted after
15 December 31, 1996, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1996, and before January 1, 1998, except that
17 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
18 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
19 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
20 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
21 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
22 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
23 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect
24 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
25 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of

1 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
3 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
4 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
5 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the
6 same time as for federal purposes.

7 **SECTION 4.** 71.01 (6) (m) of the statutes is amended to read:

8 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
9 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
10 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
11 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
12 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
13 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
14 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36,
15 P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
16 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
17 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding
18 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and
19 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,
20 909, and 910 of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203,
21 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,
22 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
23 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
24 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
25 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202

1 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
2 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
3 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
4 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
5 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
6 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
7 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
8 910 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at
9 the same time as for federal purposes. Amendments to the federal Internal Revenue
10 Code enacted after December 31, 1997, do not apply to this paragraph with respect
11 to taxable years beginning after December 31, 1997, and before January 1, 1999,
12 except that changes to the Internal Revenue Code made by P.L. 105-178, P.L.
13 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections
14 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
15 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.
16 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
17 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
18 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes
19 that indirectly affect the provisions applicable to this subchapter made by P.L.
20 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
21 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
22 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
23 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
24 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.

1 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 SECTION 5. 71.01 (6) (n) of the statutes is amended to read:

4 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
5 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
7 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
11 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
12 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
13 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding section 109 of P.L.
14 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
15 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
16 of P.L. 108-357, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647,
17 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508,
18 P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
19 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
20 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
21 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
22 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
23 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
24 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections

1 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding
2 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and
3 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
4 909, and 910 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin
5 purposes at the same time as for federal purposes. Amendments to the federal
6 Internal Revenue Code enacted after December 31, 1998, do not apply to this
7 paragraph with respect to taxable years beginning after December 31, 1998, and
8 before January 1, 2000, except that changes to the Internal Revenue Code made by
9 P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and
10 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
11 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
12 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
13 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
14 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes
15 that indirectly affect the provisions applicable to this subchapter made by P.L.
16 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
17 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
18 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
19 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
20 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
21 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for
22 Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 6.** 71.01 (6) (o) of the statutes is amended to read:

24 71.01 (6) (o) For taxable years that begin after December 31, 1999, and before
25 January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear

1 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
2 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
3 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
4 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104-188, *and* as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165
6 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
7 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of
8 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
9 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
10 section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,
11 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,
12 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected by P.L. 99-514,
13 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
14 P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104,
15 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
16 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
17 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections
18 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
19 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
20 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
21 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
22 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of
23 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
24 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
25 section 109 of P.L. 108-121, P.L. 108-218, 108-311, excluding sections 306, 307, 308,

1 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,
2 336, 337, 909, and 910 of P.L. 108-357. The Internal Revenue Code applies for
3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
4 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
5 paragraph with respect to taxable years beginning after December 31, 1999, and
6 before January 1, 2003, except that changes to the Internal Revenue Code made by
7 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
8 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,
9 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.
10 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
11 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
12 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
13 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,
14 and 910 of P.L. 108-357, and changes that indirectly affect the provisions applicable
15 to this subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and
16 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,
17 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and
18 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
19 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
20 section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,
21 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,
22 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the same
23 time as for federal purposes.

24 **SECTION 7.** 71.01 (6) (p) of the statutes is amended to read:

1 71.01 (6) (p) For taxable years that begin after December 31, 2002, and before
2 January 1, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
4 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
8 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,
9 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
10 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
11 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403
12 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,
13 and 910 of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
14 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L.
15 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
16 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
17 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
18 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202
19 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
20 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
21 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
22 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
23 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.
24 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding
25 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.

1 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
2 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
3 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
4 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at the
5 same time as for federal purposes. Amendments to the federal Internal Revenue
6 Code enacted after December 31, 2002, do not apply to this paragraph with respect
7 to taxable years beginning after December 31, 2002, and before January 1, 2004,
8 except that changes to the Internal Revenue Code made by P.L. 108-27, excluding
9 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
10 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
11 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
12 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
13 of P.L. 108-357, and changes that indirectly affect the provisions applicable to this
14 subchapter made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27,
15 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section
16 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections
17 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections
18 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes
19 at the same time as for federal purposes.

20 **SECTION 8.** 71.01 (6) (q) of the statutes is created to read:

21 71.01 (6) (q) For taxable years that begin after December 31, 2003, and
22 before January 1, 2005, for natural persons and fiduciaries, except fiduciaries of
23 nuclear decommissioning trust or reserve funds, “Internal Revenue Code” means
24 the federal Internal Revenue Code as amended to December 31, 2003, excluding
25 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),

1 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
2 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.
3 106-573, section 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106,
4 201, and 202 of P.L. 108-27, section 109 of P.L. 108-121, and section 1201 of P.L.
5 108-173, and as amendeded by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding
6 sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding
7 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476,
8 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
9 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.
10 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
11 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171
12 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465,
13 P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204
14 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33,
15 P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170,
16 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
17 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
18 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L.
19 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding
20 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of
21 P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203,
22 P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
23 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,
24 and 910 of P.L. 108-357, and P.L. 108-476. The Internal Revenue Code applies
25 for Wisconsin purposes at the same time as for federal purposes. Amendments to

1 the federal Internal Revenue Code enacted after December 31, 2003, do not apply
2 to this paragraph with respect to taxable years beginning after
3 December 31, 2003, and before January 1, 2005, except that changes to the
4 Internal Revenue Code made by P.L. 108-203, P.L. 108-218, P.L. 108-311,
5 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
6 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L.
7 108-476, and changes that indirectly affect the provisions applicable to this
8 subchapter made by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections
9 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections
10 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476, apply for
11 Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 9.** 71.01 (6) (r) of the statutes is created to read:

13 71.01 (6) (r) For taxable years that begin after December 31, 2004, for natural
14 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
15 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
16 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
17 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
18 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
19 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
20 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L.
21 108-27, section 1201 of P.L. 108-173, sections 306, 307, 308, 401, and 403 (a) of P.L.
22 108-311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as
23 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
24 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.
25 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.

1 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
2 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
3 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
4 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
5 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
6 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
7 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
8 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
9 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
10 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
11 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
12 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
13 910 of P.L. 108-357, and P.L. 108-476. The Internal Revenue Code applies for
14 Wisconsin purposes at the same time as for federal purposes. Amendments to the
15 federal Internal Revenue Code enacted after December 31, 2004, do not apply to this
16 paragraph with respect to taxable years beginning after December 31, 2004.

17 **SECTION 10.** 71.05 (22) (f) 4. a. of the statutes is amended to read:

18 71.05 (22) (f) 4. a. For taxable years beginning after December 31, 1997, in the
19 case of a taxpayer with respect to whom a ~~deduction~~ exemption under ~~s. 71.07 (8) sub.~~
20 (23) (b) 2. is allowable to another person, the Wisconsin standard deduction shall be
21 the lesser of the amount under subd. 4. b. or one of the amounts calculated under
22 subd. 4. c., whichever amount under subd. 4. c. is greater.

23 **SECTION 11.** 71.05 (22) (g) of the statutes is amended to read:

24 71.05 (22) (g) *Nonresidents.* With respect to nonresident natural persons
25 deriving income from property located, business transacted or personal or

^{as}
and as provided in

1 professional services performed in this state, including natural persons changing
2 their domicile into or from this state, the Wisconsin standard deduction and itemized
3 deductions are based on federal adjusted gross income, ~~modified in the manner~~
4 ~~described under~~ par. (f) 4., and are limited by such fraction of that amount as
5 Wisconsin adjusted gross income is of federal adjusted gross income. In this
6 paragraph, for married persons filing separately “adjusted gross income” means the
7 separate adjusted gross income of each spouse, and for married persons filing jointly
8 “adjusted gross income” means the total adjusted gross income of both spouses.

9 **SECTION 12.** 71.05 (22) (h) of the statutes is amended to read:

10 71.05 (22) (h) *Part-year residents.* If a person and that person’s spouse are not
11 both domiciled in this state during the entire taxable year, the Wisconsin standard
12 deduction or itemized deduction on a joint return is determined by multiplying the
13 Wisconsin standard deduction or itemized deduction, each calculated on the basis of
14 federal adjusted gross income, ~~modified in the manner described under~~ par. (f) 4., by
15 a fraction the numerator of which is their joint Wisconsin adjusted gross income and
16 the denominator of which is their joint federal adjusted gross income. For a married
17 person who is not domiciled in this state for the entire taxable year and who files a
18 separate return, the Wisconsin standard deduction and itemized deduction are
19 determined under par. (g).

20 **SECTION 13.** 71.10 (6) (a) of the statutes is amended to read:

21 71.10 (6) (a) *Joint returns.* Persons filing a joint return are jointly and severally
22 liable for the tax, interest, penalties, fees, additions to tax and additional
23 assessments under this chapter applicable to the return. ~~A~~ Except as provided in
24 par. (e), a person shall be relieved of liability in regard to a joint return in the manner
25 specified in section 6013 (e) 6015 (a) to (d) and (f) of the internal revenue code,

1 ~~notwithstanding the amount or percentage of the understatement~~ Internal Revenue
2 Code.

3 **SECTION 14.** 71.10 (6) (b) of the statutes is amended to read:

4 71.10 (6) (b) *Separate returns.* ~~A~~ Except as provided in par. (e), a spouse filing
5 a separate return may be relieved of liability for the tax, interest, penalties, fees,
6 additions to tax and additional assessments under this chapter ~~with regard to~~
7 ~~unreported marital property income~~ in the manner specified in section 66 (c) of the
8 ~~internal revenue code~~ Internal Revenue Code. The department may not apply ch.
9 766 in assessing a taxpayer with respect to marital property income the taxpayer did
10 not report if that taxpayer failed to notify the taxpayer's spouse about the amount
11 and nature of the income before the due date, including extensions, for filing the
12 return for the taxable year in which the income was derived. The department shall
13 include all of that marital property income in the gross income of the taxpayer and
14 exclude all of that marital property income from the gross income of the taxpayer's
15 spouse.

16 **SECTION 15.** 71.10 (6) (e) of the statutes is created to read:

17 71.10 (6) (e) *Application for relief.* A person who seeks relief from liability
18 under par. (a) or (b) shall apply for relief with the department, on a form prescribed
19 by the department, within 2 years after the date on which the department first
20 begins collection activities after the effective date of this paragraph [revisor
21 inserts date].

22 **SECTION 16.** 71.10 (6m) (a) of the statutes is amended to read:

23 71.10 (6m) (a) ~~A~~ Except as provided in par. (c), a formerly married or remarried
24 person filing a return for a period during which the person was married may be
25 relieved of liability for the tax, interest, penalties, fees, additions to tax and

1 additional assessments under this chapter for ~~unreported marital property income~~
2 from that period as if the person were a spouse under section 66 (c) of the internal
3 revenue code Internal Revenue Code. The department may not apply ch. 766 in
4 assessing the former spouse of the person with respect to marital property income
5 that the former spouse did not report if that former spouse failed to notify the person
6 about the amount and nature of the income before the due date, including extensions,
7 for filing the return for the taxable year during which the income was derived. The
8 department shall include all of that marital property income in the gross income of
9 the former spouse and exclude all of that marital property income from the gross
10 income of the person.

11 **SECTION 17.** 71.10 (6m) (c) of the statutes is created to read:

12 71.10 (6m) (c) A person who seeks relief from liability under par. (a) shall apply
13 for relief with the department as provided under sub. (6) (e).

14 **SECTION 18.** 71.22 (4) (j) of the statutes is repealed.

15 **SECTION 19.** 71.22 (4) (k) of the statutes is repealed.

16 **SECTION 20.** 71.22 (4) (L) of the statutes is amended to read:

17 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
18 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
19 December 31, 1996, and before January 1, 1998, means the federal Internal
20 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
21 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
22 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
23 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
24 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
25 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections

1 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
2 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
3 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
4 910 of P.L. 108-357, and as indirectly affected in the provisions applicable to this
5 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
6 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
7 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
8 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
9 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
11 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
12 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
13 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
14 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
15 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
16 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
17 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
18 201, 244, 336, 337, 909, and 910 of P.L. 108-357. The Internal Revenue Code applies
19 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
20 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this
21 paragraph with respect to taxable years beginning after December 31, 1996, and
22 before January 1, 1998, except that changes to the Internal Revenue Code made by
23 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
24 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
25 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.

1 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
2 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
3 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
4 and changes that indirectly affect the provisions applicable to this subchapter made
5 by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
7 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
8 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
9 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
10 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
11 apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 21.** 71.22 (4) (m) of the statutes is amended to read:

13 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
14 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
15 December 31, 1997, and before January 1, 1999, means the federal Internal
16 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and
17 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
18 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
19 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
20 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
21 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
22 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
23 P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
24 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
25 of P.L. 108-357, and as indirectly affected in the provisions applicable to this

1 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
2 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
3 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
4 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
5 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
6 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
7 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
8 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
9 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
10 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
11 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
12 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
13 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
14 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357.
15 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
16 federal purposes. Amendments to the federal Internal Revenue Code enacted after
17 December 31, 1997, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1997, and before January 1, 1999, except that
19 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.
20 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of
21 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
22 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
23 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
24 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
25 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect

1 the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.
2 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
3 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
4 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
5 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
6 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
7 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the
8 same time as for federal purposes.

9 **SECTION 22.** 71.22 (4) (n) of the statutes is amended to read:

10 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
11 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
12 December 31, 1998, and before January 1, 2000, means the federal Internal
13 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
14 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
16 and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding
17 sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
18 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
19 P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121,
20 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and
21 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.
22 108–357, and as indirectly affected in the provisions applicable to this subchapter
23 by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d)
24 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
25 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.

1 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
2 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
3 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
4 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
6 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
7 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
8 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
9 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding section 109 of
10 P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
11 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
12 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at the
13 same time as for federal purposes. Amendments to the federal Internal Revenue
14 Code enacted after December 31, 1998, do not apply to this paragraph with respect
15 to taxable years beginning after December 31, 1998, and before January 1, 2000,
16 except that changes to the Internal Revenue Code made by P.L. 106-36, P.L.
17 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
18 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
19 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L.
20 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
21 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
22 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect
23 the provisions applicable to this subchapter made by P.L. 106-36, P.L. 106-170, P.L.
24 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections

1 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding
2 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and
3 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,
4 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the same time as for
5 federal purposes.

6 **SECTION 23.** 71.22 (4) (o) of the statutes is amended to read:

7 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
8 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
9 December 31, 1999, and before January 1, 2003, means the federal Internal Revenue
10 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
11 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
13 amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.
14 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22,
15 P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
16 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,
17 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section
18 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,
19 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,
20 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions
21 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding
22 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514
23 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
24 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
25 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150

1 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
2 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
3 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
4 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
5 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
6 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
7 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,
8 P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106,
9 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.
10 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
11 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910
12 of P.L. 108–357. The Internal Revenue Code applies for Wisconsin purposes at the
13 same time as for federal purposes. Amendments to the federal Internal Revenue
14 Code enacted after December 31, 1999, do not apply to this paragraph with respect
15 to taxable years beginning after December 31, 1999, and before January 1, 2003,
16 except that changes to the Internal Revenue Code made by P.L. 106–230, P.L.
17 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
18 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
19 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,
20 P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202
21 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.
22 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.
23 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
24 and changes that indirectly affect the provisions applicable to this subchapter made
25 by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.

1 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,
2 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.
3 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
4 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
5 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
6 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,
7 and 910 of P.L. 108-357, apply for Wisconsin purposes at the same time as for federal
8 purposes.

9 **SECTION 24.** 71.22 (4) (p) of the statutes is amended to read:

10 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
11 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
12 December 31, 2002, and before January 1, 2004, means the federal Internal Revenue
13 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
14 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
15 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
16 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and
17 section 101 of P.L. 107-147, and as amended by P.L. 108-27, excluding sections 106,
18 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
19 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L.
20 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
21 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
22 and as indirectly affected in the provisions applicable to this subchapter by P.L.
23 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
24 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.
25 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

1 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
2 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
3 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
4 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
6 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
7 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
8 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
9 excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and
10 P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
11 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201
12 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,
13 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
14 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies
15 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
16 federal Internal Revenue Code enacted after December 31, 2002, do not apply to this
17 paragraph with respect to taxable years beginning after December 31, 2002, and
18 before January 1, 2004, except that changes to the Internal Revenue Code made by
19 P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,
20 excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.
21 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,
22 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,
23 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect the
24 provisions applicable to this subchapter made by P.L. 108–27, excluding sections
25 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121,

1 P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218,
2 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and
3 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.
4 108-357, apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 25.** 71.22 (4) (q) of the statutes is created to read:

6 71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
7 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
8 December 31, 2003, and before January 1, 2005, means the federal Internal Revenue
9 Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.
10 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
11 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
12 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section
13 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 109 of P.L.
14 108-121, and section 1201 of P.L. 108-173, and as amended by P.L. 108-203, P.L.
15 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
16 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of
17 P.L. 108-357, and P.L. 108-476, and as indirectly affected in the provisions
18 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
19 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514
20 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
21 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

1 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
2 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
3 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
4 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L.
5 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
6 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,
7 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
8 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
9 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L.
10 108-476. The Internal Revenue Code applies for Wisconsin purposes at the same
11 time as for federal purposes. Amendments to the federal Internal Revenue Code
12 enacted after December 31, 2003, do not apply to this paragraph with respect to
13 taxable years beginning after December 31, 2003, and before January 1, 2005,
14 except that changes to the Internal Revenue Code made by P.L. 108-203, P.L.
15 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
16 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
17 of P.L. 108-357, and P.L. 108-476, and changes that indirectly affect the provisions
18 applicable to this subchapter made by P.L. 108-203, P.L. 108-218, P.L. 108-311,
19 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
20 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L.
21 108-476, apply for Wisconsin purposes at the same time as for federal purposes.

22 **SECTION 26.** 71.22 (4) (r) of the statutes is created to read:

23 71.22 (4) (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
24 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
25 December 31, 2004, means the federal Internal Revenue Code as amended to

1 December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102-227, sections
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
3 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, ~~section~~ ^{sections} 1, 3, 4, and 5 of P.L.
4 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
5 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
6 1201 of P.L. 108-173, sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and
7 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly
8 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
9 P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
10 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
11 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
12 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
13 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
14 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
15 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
16 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
17 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
18 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
19 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L.
20 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
21 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
22 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
23 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
24 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L.
25 108-476. The Internal Revenue Code applies for Wisconsin purposes at the same

1 time as for federal purposes. Amendments to the federal Internal Revenue Code
2 enacted after December 31, 2004, do not apply to this paragraph with respect to
3 taxable years beginning after December 31, 2004.

4 **SECTION 27.** 71.22 (4m) (h) of the statutes is repealed.

5 **SECTION 28.** 71.22 (4m) (i) of the statutes is repealed.

6 **SECTION 29.** 71.22 (4m) (j) of the statutes is amended to read:

7 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
8 January 1, 1998, “Internal Revenue Code”, for corporations that are subject to a tax
9 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
10 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
11 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
12 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188
13 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
14 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
15 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
16 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109
17 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of
18 P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and
19 910 of P.L. 108–357, and as indirectly affected in the provisions applicable to this
20 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
21 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
22 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
23 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
24 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
25 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.

1 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
2 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
3 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
4 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
5 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
6 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357.

7 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
8 federal purposes. Amendments to the Internal Revenue Code enacted after
9 December 31, 1996, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1996, and before January 1, 1998, except that
11 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
12 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
15 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
16 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
17 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect
18 provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
19 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
20 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
21 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
22 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
23 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,
24 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the
25 same time as for federal purposes.

1 **SECTION 30.** 71.22 (4m) (k) of the statutes is amended to read:

2 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and
3 before January 1, 1999, “Internal Revenue Code”, for corporations that are subject
4 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
5 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
6 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
7 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
8 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36,
9 P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.
10 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
11 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding
12 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and
13 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,
14 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions applicable
15 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
16 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
17 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
18 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
19 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
20 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
21 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
22 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
23 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
24 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121,
25 excluding section 109 of P.L. 108–121. P.L. 108–311, excluding sections 306, 307, 308,

1 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,
2 336, 337, 909, and 910 of P.L. 108-357. The Internal Revenue Code applies for
3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
4 Internal Revenue Code enacted after December 31, 1997, do not apply to this
5 paragraph with respect to taxable years beginning after December 31, 1997, and
6 before January 1, 1999, except that changes to the Internal Revenue Code made by
7 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
9 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
10 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
11 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
12 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
13 and changes that indirectly affect the provisions applicable to this subchapter made
14 by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
15 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
16 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
17 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
18 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.
19 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,
20 apply for Wisconsin purposes at the same time as for federal purposes.

21 **SECTION 31.** 71.22 (4m) (L) of the statutes is amended to read:

22 71.22 (4m) (L) For taxable years that begin after December 31, 1998, and
23 before January 1, 2000, “Internal Revenue Code”, for corporations that are subject
24 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
25 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,

1 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
2 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
3 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
4 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
5 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
6 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L.
7 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
8 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910
9 of P.L. 108–357, and as indirectly affected in the provisions applicable to this
10 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
11 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
12 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
13 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
14 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
15 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
16 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
17 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
18 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
19 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L.
20 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
21 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
22 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies
23 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
24 Internal Revenue Code enacted after December 31, 1998, do not apply to this
25 paragraph with respect to taxable years beginning after December 31, 1998, and

1 before January 1, 2000, except that changes to the Internal Revenue Code made by
2 P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and
3 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
4 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
5 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
6 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
7 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes
8 that indirectly affect the provisions applicable to this subchapter made by P.L.
9 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
10 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
11 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
12 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311,
13 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,
14 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for
15 Wisconsin purposes at the same time as for federal purposes.

16 **SECTION 32.** 71.22 (4m) (m) of the statutes is amended to read:

17 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and
18 before January 1, 2003, “Internal Revenue Code”, for corporations that are subject
19 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
20 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
21 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
22 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
23 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and
24 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,
25 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and

1 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
2 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
3 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,
4 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,
5 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the
6 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
7 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
8 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
9 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
10 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
11 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
12 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
13 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
14 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.
15 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections
16 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.
17 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
18 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311,
19 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,
20 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal
21 Revenue Code applies for Wisconsin purposes at the same time as for federal
22 purposes. Amendments to the Internal Revenue Code enacted after December 31,
23 1999, do not apply to this paragraph with respect to taxable years beginning after
24 December 31, 1999, and before January 1, 2003, except that changes to the Internal
25 Revenue Code made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165

1 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
2 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of
3 P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.
4 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
5 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,
6 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,
7 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect the
8 provisions applicable to this subchapter made by P.L. 106–230, P.L. 106–554,
9 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding
10 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
11 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
12 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
13 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.
14 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.
15 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
16 apply for Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 33.** 71.22 (4m) (n) of the statutes is amended to read:

18 71.22 (4m) (n) For taxable years that begin after December 31, 2002, and
19 before January 1, 2004, “Internal Revenue Code,” for corporations that are subject
20 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
21 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
22 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
23 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
24 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
25 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,

1 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
2 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
3 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
4 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,
5 and 910 of P.L. 108-357, and as indirectly affected in the provisions applicable to this
6 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
7 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
8 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
10 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
11 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
12 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
13 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
14 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
15 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L.
16 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
17 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
18 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
19 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
20 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
21 of P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at the
22 same time as for federal purposes. Amendments to the Internal Revenue Code
23 enacted after December 31, 2002, do not apply to this paragraph with respect to
24 taxable years beginning after December 31, 2002, and before January 1, 2004,
25 except that changes to the Internal Revenue Code made by P.L. 108-27, excluding

1 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
2 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
3 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
4 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
5 of P.L. 108-357, and changes that indirectly affect the provisions applicable to this
6 subchapter made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27,
7 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section
8 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections
9 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections
10 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes
11 at the same time as for federal purposes.

12 **SECTION 34.** 71.22 (4m) (o) of the statutes is created to read:

13 71.22 (4m) (o) For taxable years that begin after December 31, 2003, and
14 before January 1, 2005, "Internal Revenue Code," for corporations that are subject
15 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
16 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
17 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
18 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of
19 P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573,
20 section 431 of P.L. 107-16, section 101 of P.L. 107-147, and sections 106, 201, and
21 202 of P.L. 108-27, section 109 of P.L. 108-121, and section 1201 of P.L. 108-173,
22 and as amended by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections
23 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections
24 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476, and as
25 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,

1 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
2 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
3 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113,
4 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
5 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
6 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
7 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
8 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.
9 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
10 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L.
11 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,
12 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding
13 section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,
14 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401,
15 and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,
16 337, 909, and 910 of P.L. 108–357, and P.L. 108–476. The Internal Revenue Code
17 applies for Wisconsin purposes at the same time as for federal purposes.
18 Amendments to the Internal Revenue Code enacted after December 31, 2003, do
19 not apply to this paragraph with respect to taxable years beginning after
20 December 31, 2003, and before January 1, 2005, except that changes to the
21 Internal Revenue Code made by P.L. 108–203, P.L. 108–218, P.L. 108–311,
22 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, excluding
23 sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding
24 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–476,
25 and changes that indirectly affect the provisions applicable to this subchapter

1 made by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,
2 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201,
3 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-476, apply for
4 Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 35.** 71.22 (4m) (p) of the statutes is created to read:

6 71.22 (4m) (p) For taxable years that begin after December 31, 2004, "Internal
7 Revenue Code," for corporations that are subject to a tax on unrelated business
8 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
9 to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102-227, sections
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
11 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
12 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
13 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
14 1201 of P.L. 108-173, sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and
15 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly
16 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
17 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
18 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
19 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
20 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
21 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
22 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
23 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
24 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
25 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,

1 excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
2 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
3 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
4 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
5 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of
6 P.L. 108-357, and P.L. 108-476. The Internal Revenue Code applies for Wisconsin
7 purposes at the same time as for federal purposes. Amendments to the Internal
8 Revenue Code enacted after December 31, 2004, do not apply to this paragraph with
9 respect to taxable years beginning after December 31, 2004.

10 **SECTION 36.** 71.26 (2) (b) 10. of the statutes is repealed.

11 **SECTION 37.** 71.26 (2) (b) 11. of the statutes is repealed.

12 **SECTION 38.** 71.26 (2) (b) 12. of the statutes is amended to read:

13 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and
14 before January 1, 1998, for a corporation, conduit or common law trust which
15 qualifies as a regulated investment company, real estate mortgage investment
16 conduit, real estate investment trust or financial asset securitization investment
17 trust under the Internal Revenue Code as amended to December 31, 1996, excluding
18 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
19 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
20 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,
21 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.
22 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
23 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.
24 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,
25 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,

1 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the
2 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
3 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
4 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
5 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
6 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
7 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
8 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
9 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
10 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
11 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109
12 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of
13 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and
14 910 of P.L. 108-357, “net income” means the federal regulated investment company
15 taxable income, federal real estate mortgage investment conduit taxable income,
16 federal real estate investment trust or financial asset securitization investment
17 trust taxable income of the corporation, conduit or trust as determined under the
18 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
19 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
20 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
21 104-188 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,
22 P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
23 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
24 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding
25 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and

1 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
2 909, and 910 of P.L. 108-357, and as indirectly affected in the provisions applicable
3 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
4 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
5 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
6 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
7 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
8 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
9 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
10 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
11 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and
12 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L.
13 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
14 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910
15 of P.L. 108-357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
16 is required to be depreciated for taxable years 1983 to 1986 under the Internal
17 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
18 under the Internal Revenue Code as amended to December 31, 1980, and except that
19 the appropriate amount shall be added or subtracted to reflect differences between
20 the depreciation or adjusted basis for federal income tax purposes and the
21 depreciation or adjusted basis under this chapter of any property disposed of during
22 the taxable year. The Internal Revenue Code as amended to December 31, 1996,
23 excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171
24 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,
25 and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L.

1 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
2 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
3 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
4 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
5 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
6 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the
7 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
8 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
9 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
10 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
12 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
13 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.
14 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,
15 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
16 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109
17 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of
18 P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and
19 910 of P.L. 108–357, applies for Wisconsin purposes at the same time as for federal
20 purposes. Amendments to the Internal Revenue Code enacted after
21 December 31, 1996, do not apply to this subdivision with respect to taxable years
22 that begin after December 31, 1996, and before January 1, 1998, except that
23 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
24 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
25 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.

1 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
2 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
3 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
4 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect
5 the provisions applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L.
6 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
7 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
8 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
9 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,
10 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,
11 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the
12 same time as for federal purposes.

13 **SECTION 39.** 71.26 (2) (b) 13. of the statutes is amended to read:

14 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
15 before January 1, 1999, for a corporation, conduit or common law trust which
16 qualifies as a regulated investment company, real estate mortgage investment
17 conduit, real estate investment trust or financial asset securitization investment
18 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
19 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
20 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
21 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L.
22 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
23 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
24 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.
25 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,